

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph LOSCALZO et al. Confirmation No.: 9697
Application No.: 10/692,724 Art Unit: 1657
Filed: October 27, 2003 Examiner: K. C. Srivastava
Title: METHODS OF TREATING VASCULAR DISEASES
CHARACTERIZED BY NITRIC OXIDE INSUFFICIENCY

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PRIORITY CLAIM
UNDER 37 C.F.R. § 1.78(a)

Dear Sir:

Applicant hereby submit this petition to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of a prior-filed nonprovisional application, as provided under 37 C.F.R. §1.78(a). In the accompanying response under 37 C.F.R. §1.312, Applicant has submitted an Application Data Sheet to contain the reference to the earlier-filed nonprovisional application, as required under 37 C.F.R. §1.78(a)(2). Applicant further submits herewith an authorization of payment of the surcharge set forth in 37 CFR §1.17(t), and do hereby state that the entire delay, from the date the claim of priority was due under 37 C.F.R. §1.78(a)(2)(ii), was unintentional.

Accordingly, Applicants respectfully request acknowledgement of the acceptance of their proper claim of priority to the earlier-filed nonprovisional application, namely, Application No. 10/687,706 filed October 20, 2003, which is a continuation of U.S. Application No. 10/415,136 filed April 25, 2003, which is a §371 of PCT/US01/14245 filed May 2, 2001, which claims priority to PCT/US00/29582 filed October 27, 2000.

Application No. 10/692,724
Petition under 37 C.F.R. §1.78(a) dated March 25, 2008

Docket No.: 102258.170US3
Examiner: K.C. Srivastava
Group Art Unit: 1657

No further fee is believed due at this time, however please charge any additional fees, or refund any overpayment, to Deposit Account No. 08-0219.

Respectfully submitted,

Dated: March 25, 2008

/Belinda M. Lew/
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